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CHRISTOPHER M. PLACITELLA
MANAGING NJ ATTORNEY
CERTIFIED CIVIL TRIAL ATTORNEY

March 18, 2020

Arthur A. Dornbusch II, Esq.
6 Harbor Drive
Rumson, New Jersey 07760

RE: Williams v. BASF Catalysts, Inc. et al.
USDC NJ; No: 2:11-cv-01754

Dear Mr. Dornbusch:

This will confirm and memorialize the agreement between the individual defendant whose signature appears below (the “Individual Defendant”) in *Williams et al. v. BASF Catalysts LLC, et al.* (Civil Action No 2-11-cv-01754 (ES)(JAD)) (hereafter, the “*Williams Action*”) and the Plaintiffs and Class Representatives in the *Williams Action*, on behalf of themselves and the putative Class Members, by and through their attorneys, Cohen, Placitella and Roth, P.C., that for good and valuable consideration, including inclusion of the Individual Defendant as a Released Party in the *Williams Action* Settlement Agreement and the dismissal with prejudice of all claims asserted against the Individual Defendant (without the payment of any sum from the Individual Defendant), and intending to be legally bound, the undersigned Individual Defendant agrees that he will not directly or indirectly:

- a. Challenge, object to or otherwise oppose the Settlement Agreement, the Motion for Preliminary Approval, the Motion for Final Approval, and implementation of the settlement as set forth in the Settlement Agreement, or instigate, assist or support any challenge, objection or opposition to any of the foregoing;
- b. Challenge, object to or otherwise oppose, or instigate, assist or support any challenge, objection or opposition to Plaintiffs’ nominations of persons or entities to implement and carry out the Settlement Agreement, including the proposed Settlement Trustee and Master, the Settlement Administrator, the Lien Administrator, the Notice Agent, and the Cost Fund and Settlement Fund Financial Institution; or

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- c. Challenge, object to or otherwise oppose, or instigate, assist or support any challenge, objection or opposition to Class Counsel's fee and cost reimbursement application or the application of the Class Representatives' for service awards as described in the Settlement Agreement.

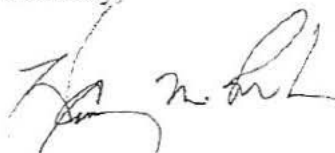
The Individual Defendant consents to adjudication by the Hon. Joseph A. Dickson, U.S.M.J. of the Motion for Preliminary Approval, the Fairness Hearing, the Motion for Final Approval, the Motion by Class Counsel for fees and costs reimbursements, and the Class Representatives' application for service awards, and retention of jurisdiction over all aspects of the Settlement Agreement and Plan of Distribution.

Plaintiffs and Class Representatives agree that, upon entry of the Preliminary Approval Order, they will dismiss with prejudice the Individual Defendant from the *Williams* Action. The Individual Defendant agrees that the Plaintiffs and Class Representatives may reinstitute the *Williams* Action against the Individual Defendant if, and only if, the Settlement Agreement does not obtain Final Approval, and that all statutes of limitations, to the extent they have not already run, are tolled from the date of dismissal of the Individual Defendant until Final Approval.

All capitalized terms herein shall have the same meaning as contained in the Settlement Agreement.


The undersigned further agrees that this agreement is binding upon the heirs, successors and assigns of the undersigned.

Sincerely,



CHRISTOPHER M. PLACITELLA
HARRY M. ROTH
Attorneys for Plaintiffs and putative Class

Read and agreed to:


Arthur A. Dornbusch II, Esq.

Dated: April 18, 2020